

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS
SPECIAL EDUCATION APPEALS

Student v. Natick Public Schools

BSEA #1408860

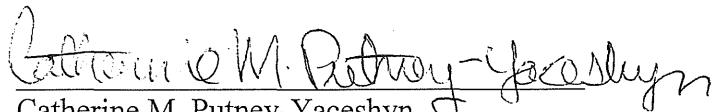
HEARING OFFICER'S FINDINGS ON REMAND

In rendering the Decision in the matter of *Student v. Natick Public Schools*, BSEA #1408860, the Hearing Officer applied the standard articulated in numerous First Circuit cases. “[T]o comply with IDEA, an IEP must be reasonably calculated to confer a meaningful educational benefit.” *D.B. ex rel. Elizabeth B. v. Esposito*, 675 F.3d 26 at 34 (1st Cir. 2012); *see also Sebastian M. v. King Philip Regional School Dist.*, 685 F.3d 791 (1st Cir. 2012). Both decisions relied on *Bd. Of Educ. of Hendrick Hudson Central Sch. Dist., Westchester County v. Rowley*, 458 U.S. 176, 207 (1982) in articulating the standard.

This standard is in accordance with and conforms with the standard enunciated in *Endrew F. v. Douglas County. Sch. Dist.*, 580 U.S. __ (March 22, 2017), in which the Court decided that for an IEP to provide a FAPE, it must be “reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” At no time have the Massachusetts courts or the Bureau of Special Education Appeals utilized the “merely more than de minimus” standard adopted by the Tenth Circuit, and rejected by the Supreme Court.

The decision reached in this case is not impacted by the *Endrew F.* case. Therefore, no further proceedings at the BSEA are warranted or appropriate.

By the Hearing Officer,


Catherine M. Putney-Yaceshyn

Dated: April 10, 2017